

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JENNIFER LAKE, as Personal  
Representative of the Estate of  
BENJAMIN PELCH, JR., Deceased,

Plaintiff,

v

HEARTLAND - BRIARWOOD MI, LLC  
d/b/a HEARTLAND HEALTH CARE  
CENTER - BRIARWOOD, and as  
Successor Corporation to HEARTLAND  
HEALTH CARE CENTER - BRIARWOOD,  
and/or EAST MICHIGAN CARE  
CORPORATION and/or MANOR CARE,  
INC.,

Defendants.

CASE NO.: 08-14669  
HONORABLE: Sean F. Cox

Lower Case No.: 08-89404-NM  
HONORABLE: Joseph J. Farah

SCOTT L. FEUER (P38185)  
TED KOZERSKI (P36894)  
Attorney for Plaintiff  
251 Merrill Street  
Suite 203  
Birmingham, Michigan 48009  
(248) 723-7828, Ext. 201

WILLIAM D. CHAKLOS (P33180)  
DAVID C. WIEGEL (P57277)  
Attorneys for Defendant  
One Woodward Avenue  
Suite 2400  
Detroit, MI 48226-5485  
(313) 965-7925

**STIPULATION FOR QUALIFIED PROTECTIVE ORDER FOR  
THE RELEASE OF IDENTITY OF BENJAMIN PELCH'S ROOMMATES AT  
HEARTLAND HEALTH CARE CENTER- BRIARWOOD**

IT IS STIPULATED by and between counsel for the parties that Plaintiff, Jennifer Lake, is granted a Qualified Protective Order for the release of Benjamin Pelch's roommates' names (as well as last known address and telephone number) while he was a resident at Heartland Health Care Center - Briarwood, subject to the following stipulations being contained in the qualified protective order:

- A.) That plaintiff's counsel and/or Plaintiff are prohibited from using or disclosing the protected health information for any purpose other

than in this litigation; that plaintiff's counsel and/or Plaintiff are required to return or destroy the protected information at the end of the litigation; and that this qualified protective order concerns solely the release of Benjamin Pelch's roommates names while he was a resident of Heartland Health Care Center - Briarwood.

- B.) That Plaintiff and/or plaintiff's counsel are required to notify Benjamin Pelch's roommates that Heartland Health Care Center - Briarwood were required to release their names and last known contact information due to a court order.
- C.) That plaintiff's counsel must inform Benjamin Pelch's roommates that they are under no obligation to meet with Plaintiff and/or plaintiff's counsel. Plaintiff's counsel is also required to provide said roommates with a copy of this order.
- D.) That discussions with Mr. Pelch's roommates are to only concern Mr. Pelch and his stay at Heartland Health Care Center - Briarwood and not their own health issues.
- E.) That plaintiff's counsel will provide at least 48 hour-advanced written notice to defense counsel of the date, time, and place of any meetings between plaintiff and/or plaintiff's counsel and Benjamin Pelch's roommates and allow defense counsel to attend any such meeting.

/s/ David Wiegel  
DAVID WIEGEL (P57277)  
Attorney for Defendant

/s/ Ted Kozerski (w/permission)  
TED KOZERSKI (P36894)  
Attorney For Plaintiff

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JENNIFER LAKE, as Personal  
Representative of the Estate of  
BENJAMIN PELCH, JR., Deceased,

Plaintiff,

v

HEARTLAND - BRIARWOOD MI, LLC  
d/b/a HEARTLAND HEALTH CARE  
CENTER - BRIARWOOD, and as  
Successor Corporation to HEARTLAND  
HEALTH CARE CENTER - BRIARWOOD,  
and/or EAST MICHIGAN CARE  
CORPORATION and/or MANOR CARE,  
INC.,

Defendants.

CASE NO.: 08-14669  
HONORABLE: Sean F. Cox

Lower Case No.: 08-89404-NM  
HONORABLE: Joseph J. Farah

SCOTT L. FEUER (P38185)  
TED KOZERSKI (P36894)  
Attorney for Plaintiff  
251 Merrill Street  
Suite 203  
Birmingham, Michigan 48009  
(248) 723-7828, Ext. 201

WILLIAM D. CHAKLOS (P33180)  
DAVID C. WIEGEL (P57277)  
Attorneys for Defendant  
One Woodward Avenue  
Suite 2400  
Detroit, MI 48226-5485  
(313) 965-7925

**ORDER FOR QUALIFIED PROTECTIVE ORDER FOR  
THE RELEASE OF IDENTITY OF BENJAMIN PELCH'S ROOMMATES AT  
HEARTLAND HEALTH CARE CENTER - BRIARWOOD**

Upon reading and filing of the above stipulation, and the Court being fully advised  
in the premises;

IT IS HEREBY ORDERED that Plaintiff, Jennifer Lake, is granted a Qualified  
Protective Order for the release of Benjamin Pelch's roommates' names (as well as last  
known address and telephone number) while he was a resident at Heartland Health  
Care Center - Briarwood, subject to the following stipulations:

- A.) That plaintiff's counsel and/or Plaintiff are prohibited from using or disclosing the protected health information for any purpose other than in this litigation; that plaintiff's counsel and/or Plaintiff are required to return or destroy the protected information at the end of the litigation; and that this qualified protective order concerns solely the release of Benjamin Pelch's roommates names while he was a resident of Heartland Health Care Center - Briarwood.
- B.) That Plaintiff and/or plaintiff's counsel are required to notify Benjamin Pelch's roommates that Heartland Health Care Center - Briarwood were required to release their names and last known contact information due to a court order.
- C.) That plaintiff's counsel must inform Benjamin Pelch's roommates that they are under no obligation to meet with Plaintiff and/or plaintiff's counsel. Plaintiff's counsel is also required to provide said roommates with a copy of this order.
- D.) That discussions with Mr. Pelch's roommates are to only concern Mr. Pelch and his stay at Heartland Health Care Center - Briarwood and not their own health issues.
- E.) That plaintiff's counsel will provide at least 48 hour-advanced written notice to defense counsel of the date, time, and place of any meetings between plaintiff and/or plaintiff's counsel and Benjamin Pelch's roommates and allow defense counsel to attend any such meeting.

Dated: July 17, 2009

s/ Sean F. Cox  
Sean F. Cox  
U. S. District Judge